



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENT  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No. 36

Millen White Zelano & Branigan  
2200 Clarendon Blvd., Suite 1400  
Arlington, VA 22201

**COPY MAILED**

**FEB 20 2004**

**OFFICE OF PETITIONS**

In re Application of  
Dario Neri et al.  
Application No. 09/300,425  
Filed: April 28, 1999  
Attorney Docket No. ELLIS-2-P1

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 12, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed March 4, 2003, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the above-identified application became abandoned on May 5, 2003. See MPEP 1215.04.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

The application file is being forwarded to Technology Center AU 1645 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

Latrice Bond  
Paralegal Specialist  
Office of Petitions  
Office of the Deputy Commissioner  
For Patent Examination Policy